

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

HECTOR VALENTINE,	:	
	:	
Petitioner,	:	
	:	
v.	:	No.: 4:17-CV-1770
	:	
WARDEN SPAULDING,	:	(Judge Brann)
	:	
Respondent.	:	

ORDER

AND NOW, this 12th day of December 2017, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Valentine's habeas corpus petition is **DISMISSED WITHOUT PREJUDICE**.
2. Petitioner may seek authorization from the United States Court of Appeals for the Second Circuit for leave to file a second or successive § 2255 petition.
3. The Clerk of Court is directed to **CLOSE** this case.
4. Based on the Court's conclusion herein, there is no basis for the issuance of a certificate of appealability.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge